



## **SUMMARY MINUTES APPROVED AT SEPTEMBER 2018 MEETING**

# **KENTUCKY DEPARTMENT OF EDUCATION STATE ADVISORY COUNCIL FOR EXCEPTIONAL CHILDREN (SACEC) SUMMARY**

**JUNE 11, 2018:**

**ATTENDANCE:** Julie Rubemeyer, William Greer, Anna Light, Eric Umstead, Libby Suttles, Amy Folker, Leisa Hutchison, Tricia Gibbons, Danny Hughes, Kimberly Chevalier, Adria Johnson, Barry Lee, Anita Dowd, Melissa Knight, Carey Cockerell, Brent Hutchinson, Ravonne Sims

### **SUMMARY:**

**Agenda Item: KDE Update**

**Presenter: Gretta Hylton, Director, Division of Learning Services**

### **Summary of Discussion:**

Gretta stated that she met with Dr. Wayne Lewis, KDE Commissioner. She said that there has been a lot of change within the department and it is Dr. Lewis' advice to continue as If nothing is going to change, until it does. He is supportive of special education and it will remain in the forefront. He has been a special education teacher in the New Orleans area, specializing in Emotional and Behavior Disorders. He wants to push this less socially acceptable issue forward, stressing that special education is not all about academic disabilities.

KDE's vision is that each and every student is empowered and equipped with the knowledge, skills and dispositions to pursue a successful future. The mission is to partner with districts, schools and shareholders to provide service, support and leadership to ensure success for each and every student.

The socio-emotional task force met and she heard it went well. The Commissioner has visited the Kentucky School for the Blind and Deaf and attended graduation. He is the SIAC (State Inter-Agency Council) Chairperson. Gretta has been the designee, but Robin McCoy will take over and be the counselor liaison.

The Commissioner's priorities are to:

- ▶ Reduce the achievement gap
- ▶ Early literacy (Pre-K)

- ▶ Early numeracy (Pre-K)
- ▶ Minimum graduation requirements
- ▶ CTE pathways and earning industry recognized credentials
- ▶ Postsecondary opportunities – dual credit and AP
- ▶ Flexibility and autonomy for public schools
- ▶ School choice / options

He is interested in changes in graduation requirements, increasing post-secondary opportunities and is an advocate of school choice and options for parents.

#### **Action Taken:**

Barry Lee stated that he is seeing new framework for assessment accountability and wonders what the scores will look like for this year. Gretta stated that the Office of Accountability would have this information and she will look into it. Barry would like to see the baseline data.

Kim Chevalier asked if there have been any changes regarding the alternate assessment. Gretta answered there have not. They have not pursued the alternate diploma and there has been not response from OSEP. Gretta reviewed the process with OSEP and that she was frustrated. She stated that it will not be until the 2017/2018 data is reviewed before seeing results from any of KDE's work.

#### **Follow-up Required:**

Barry discussed the 1% cap for the alternate assessment and stated that a lot of good training has come out of it. Principals, counselors and ARC chairs have had a lot of discussion about the alternate assessment. Gretta added that she has received positive feedback and that the training has worked well. She stated that they went into it wanting to know where is the 1% coming from and that they didn't want it to be just about compliance, but it is.

#### **Agenda Item: Division of Learning Services Update**

**Presenter: Debbie Mays, Diverse Learners Branch Manager, DLS/KDE**

#### **Summary of Discussion:**

Debbie provided a copy of the Dear Colleague Letter for KECSAC Facilities. The letter is organized into three main areas: Key Points, State Responsibilities to Students in Correctional Facilities and Responsibilities of Public Agencies, Including Districts and Non-Educational Public Agencies.

Debbie discussed the State Corrective Education Self-Assessment (SCES) and went over the General Supervision Requirements and Public Agency Requirements. The self-assessment is organized into three main areas: Requirements for interagency agreements between KDE, districts and KECSAC. The 3 main areas are all involved in providing special education and related services to students with disabilities and they work to provide a tool to evaluate and track Kentucky's progress in addressing the responsibilities to students with disabilities in KECSAC facilities.

Offers a tool to evaluate and track how IDEA requirements are being addressed in districts and non-educational public agencies who provide education to youth with disabilities in KECSAC facilities.

Debbie discussed the General Supervision Indicators and the Public Agency Indicators.

Barry asked if every KECSAC program in the state was associated with a district. Debbie answered, yes. The state oversees KECSAC. He asked if every program has access to Infinite Campus and Debbie stated that no, they do not. There are people assigned who can pull info from Infinite Campus for them. Ravonne Sims added that this is one of the difficulties in the age 18-21 adult corrections. They need to be able to see this information. Did these students have an IEP? What is in Infinite Campus about any emotional and behavioral issues? What is the student's history? There is an obligation for agency communication.

Gretta acknowledged this concern but it is complicated. She said of course those adults aged 18-21 are still entitled to an IEP and DLS has done a great job working on that with the population, but it is time to expand. There is so much more that comes with Infinite Campus and what services need to be provided. They should not be dependent on each other. Ravonne again added that this is a priority.

Carey Cockerell added that there are not "KECSAC facilities". KECSAC only provides funding. Special education is a great concern because most of these kids fall into this area. Infinite Campus would be monumental to have access to. He added that the transition back to school for these kids is also difficult.

#### **Action Taken:**

Tricia Gibbons asked how long Infinite Campus has existed. Chris Thacker stated since 2006-2007. There was discussion about this and that if a student moves, the information may not transfer and that login credentials are through the district.

Barry added that it is hard for these students to self-advocate as they are in survival mode. He stated he just had an incident recently where an 18 year old student at his school was about to graduate but became incarcerated. He said he found out about the student and went to talk with him at the county jail. The student had no idea he could come back to school and eventually get his diploma. In larger counties these kids are not even being found and end up dropping out because they do not know their options. Ravonne added that they need history on these students to help guide them to a career. For instance if a student is dyslexic, it would be helpful to know that when assisting them to choose a career – a better targeted path.

Gretta stated that if you think about Infinite Campus, it is a tool. If it was taken away today, it does not take away IDEA. It does not matter how many times we share the tool if the responsibilities and needs are not being discussed in the ARCs etc. to provide better outcomes. It's not just about the tools, that can be worked out, but the council is the one to advise. Barry stated that yes, record sharing is a topic of the council.

Kim Chevalier asked if we are missing the boat with DPP? There is no special education background. It should be their responsibility. Could there be more training on the DPP side? Barry added that this is the role of the FAIR Teams. Kim stated that it's not working. She suggested state mandatory training. She stated that possibly if DLS mandated that DPP needs to do these things it would be taken more seriously. Joe McCowan emphasized the need for

increased collaboration. Everyone needs to understand the process before having access to the Infinite Campus tool.

### **Follow-up Required:**

Ravonne states that they do not know how long these students will be in the DJJ system but they will be returned to the community. A history of these students is vital to know what they have been through. She gave an example of a dyslexic child, wanting to fit in, not wanting to read aloud, embarrassed of his shortcomings - then that leads to substance abuse to fit in. It perpetuates itself and then adult corrections tries to untangle the student's social emotional behavior. How many kids are they missing simply because they cannot read? Tricia added that Infinite Campus would be helpful in these situations as it would include information the student is passionate about such as clubs they have been in.

Debbie added that she has visited some DJJ facilities and the teachers there are of quality and committed. She talked to some of the kids and they are thankful for the programs and for those who have helped them. Technical training is beneficial and these facilities are organized. Barry added that the DJJ facilities deliver punishment but what is the next option? How to keep them from coming back? Ravonne added that we need to maximize what we do with these kids while they are in our custody. Eric Umstead asked about the recidivism rate. Ravonne did not have all of those stats but stated that the number of those incarcerated with no diploma or GED is about 25%.

Carey Cockerell stated that he's not certain that the council understands what happens in a DJJ facility. He questioned Barry's use of the words, "delivers punishment". He said that DJJ doesn't view it as delivering punishment. Barry added that is the child's perception. Carey stated that detention is not a treatment facility, it's a holding system through the courts. Some kids stay in the detention center for a year. Waiting a year for a court case is phenomenal and the recidivism is about 40-50%. He stated that SB 200 is a big piece and the FAIR Teams are a big part. If the FAIR Team refers, funding can follow. There is an entire system that most people don't know about and even professionals in various agencies are not well versed in what goes on there.

Barry stated that in a day treatment facility you see a large group who is being educated and when the schools see these students are coming back, the schools do not want them. Gretta added that this is not a one step process. DJJ gets the child where they are at right then. The measures you take depend on what has happened in that child's life. One of the greatest protective factors is a trusted adult. How many times do we fail at this?

Carey asked if a special education audit was done. Debbie answered yes, in Adair and Fayette Counties.

Eric stated that when he was teaching in Nashville, as a transition specialist, part of what he covered was working with DJJ and the DOC (Department of Corrections). He's wondering if the same thing happens in Kentucky where the schools have direct liaisons that would with DOC in transitions? Carey replied that there is a community worker that would do this. Most districts have some sort of function of this type. Smaller districts may not.

Barry stated that there is a group that meets regarding KECSAC programs – what are they doing? Coming up with any solutions? Debbie stated that they help develop policy and

procedures with districts and KDE. For instance, who is responsible for doing what, moving forward, developing teams. Barry asked if there were any additional questions. There were none.

### **Agenda Item: Significant Disproportionality**

**Presenter: Chris Thacker of the Human Development Institute – University of Kentucky**

#### **Summary of Discussion:**

Chris briefly talked about the topic of significant disproportionality that has been a focus of the council in the past couple meetings. He stated that 16 regulations were to go into effect this year. There was a delay for 2 years. Now, on July 1, 2020, it is pending whether or not it occurs. He said as we will recall the council decided on a Risk Ratio Threshold greater than 3. We talked about the 14 categories using 3 years-worth of data and the ability to show improvement over the last 2 years of data. He stated that he talked with Dr. Lewis about implementing what was recommended by the council and he was onboard with the recommendations. Dr. Lewis was asked if he wanted to wait the 2 years or go ahead and start the implementation. He answered that he wanted to go ahead with next year identifying students. The alternate risk ratio would increase with the number of districts identified. Because of the predominately white districts with 3 years of data, there will not be a big change and will be consistent with what other states are doing. A good number of them are going to start implementation as well. Unless we hear feedback to the contrary, this is the plan.

#### **Action Taken:**

KDE will continue to share information with the council regarding significant disproportionality and the impact on school districts statewide.

#### **Follow-up Required:**

KDE will continue to share information with the council regarding significant disproportionality and the impact on school districts statewide.

### **Agenda Item: Annual Determinations**

**Presenter: Joe McCowan – KDE**

#### **Summary of Discussion:**

Kentucky has met the federal requirement. Gretta added that in late summer another will come out. Determination letters have been sent out and if there are questions, the districts can contact KDE. A link has been posted on the KDE website regarding the determinations.

#### **Action Taken:**

Tricia asked how the districts did. Joe stated that 13 did not meet. Chris added there are 3 in question right now of not meeting. The reasons are participation rates and how the data was submitted.

Melissa Knight asked if these districts were spread throughout the state or in one area. Chris said they were spread out. There are usually 12 that get the determination of “does not meet”. Usually an increase is very minimal. Joe stated that the districts that do not meet do a corrective action plan and an onsite monitoring visit. 8<sup>th</sup> grade math proficiency is another area they do not meet. The target is high but it is an area that needs to be focused on.

Ravonne provided some more statistics. Adult recidivism is 47%, under 21 with no record of GED or diploma is 206 people, those under parole 799. Those 18-21 in prison, 87. Total 1092. Those over 21-24 with no high school diploma or GED are 941. Incarcerated about 25,000, including those on probation and parole. She stated that there is an obligation to educate. Those participating in academic programs are 784 of those incarcerated. There is a lot of room to grow. If we knew of the person's background and disability the people had that received their diplomas or GEDs it would have been a huge benefit to guide them on higher education or career programs.

### **Follow-up Required:**

KDE will continue to share information with the council regarding determinations and the impact on school districts statewide.

### **Agenda Item: Cooperative Update**

**Presenter: Christel Bogar, Director of Ohio Valley Educational Cooperative (OVEC)**

### **Summary of Discussion:**

Christel talked about IDEA Grants for Regional Cooperatives for the 2018-2019 year. They were to be submitted to KDE by June 1, 2018. The scope of services included compliance and outcome indicators, RSIP, peer support networks, opportunity and access and regional special initiatives.

All cooperatives participated in explicit instruction called Train the Trainer. This is an evidence based practice and included updates for IEP trainers. She discussed Cooperative Task Groups. Math and Literacy consultants across each cooperative will collaborate with low incidence consultants and assistive technology consultants to: focus on instructional strategies, accommodations/modifications and assistive technology supports for students with moderate to severe disabilities, embed explicit instruction and high leverage teaching practices into their trainings, and incorporate appropriated IEP goal development into their content specific trainings.

She discussed Indicator 13 – Postsecondary Transition. There is an updated video module for training created by cooperative ECS consultants in collaboration with KDE. This also incorporates compliance and better outcomes and services with students with disabilities age 14 and older.

The regional systemic improvement plan and mental health support was also addressed. The Cornell Threat Assessment would be provided to all COOPs in August 2018. It is an evidence based model for evaluating and managing potential threats and is not specific to those with learning disabilities. Peer support network was also discussed.

### **Action Taken:**

Anita Dowd asked about peer support groups. She wanted to know if there were any plans in place for students with low incidence that do not have peers at school. Christel stated that no, peer support groups are about building friendships etc. between those with disabilities and those without. In a setting with only one student, this would not apply.

### **Follow-up Required:**

Bill Greer also asked about whether or not the peer support groups were common in other districts. Christel stated that it varied. On a national setting this is the push everyone is going toward and it is growing, but there is no data yet. Bill asked if this was just for high school settings. Christel stated that it is for any setting.

She added that there are various resources for DoSE (Directors of Special Education) and discussed the memo of agreement with OVR which includes Pre-Employment Transition Services.

### **Agenda Item: Adverse Childhood Experiences Training**

**Presenter: Barry Lee, SACEC Chair**

#### **Summary of Discussion:**

Barry provided each council member with a copy of the Adverse Childhood Experience Questionnaire. He stated that a high percentage of those with disabilities fall into emotional behavior disorders. He is participating in training to be a youth mental health trainer. He stated that trauma is different for every individual and is defined as witnessing or experiencing an event that poses a real or perceived threat. This can include violence in the home, loss of a home, theft, parents separation, mental illness, addiction, sex trafficking, physical abuse or neglect, death, life threatening illness of caregiver, accidents, natural disasters and medical procedures. Acute trauma is a single traumatic event that is limited in time. Chronic trauma is multiple traumatic events over time. 67% of Americans have experienced at least one ACE (Adverse Childhood Experience). He discussed what trauma was and what it looked like. He stated that an experience of abuse or neglect leaves a traumatic fingerprint on the development of children. A child's lack of trust may lead to rejection of caring adults. Early experiences of attachment problems reduce natural empathy. Trauma may affect the ability to learn, regulate emotions, and cause a sense of hopelessness. Kids have a lot of guilt and self-blame especially at the middle school level. He gave an example of a child whose father beat him and feels that if he hadn't told a teacher about it, his father would not be in jail. Situations like this might alter a child's world view. Without positive coping strategies the child may resort to reckless behavior and substance abuse. If that child is accepted by a group of peers, that child will do whatever that group does such as crime, drugs, etc. in order to just be accepted by somebody.

Barry discussed that removing a child from the parents is not the best option in many cases. Removing a child will not undo the consequences or fix the situation. Barry played a couple 911 calls from children and also a video regarding removing a child from an abusive home and placing her in foster care. That situation comes with its own problems. Barry provided a handout on Youth Mental First Aid.

#### **Action Taken:**

Eric brought up that Kentucky has the second leading highest rating of 3 or more ACES in the country.

Kim stated that we feel badly putting labels on children but they need to be labeled so they can receive services. The least restrictive environment may not be the best thing for each child as they might really depend on their special education teacher. Parents usually want the child in regular classes as much as possible, but sometimes it just isn't the best place for the child. She stated that they have an EBD classroom in their school for children with behavioral problems. They are sent to that class and then return after some intervention and it's working well.

Anita was curious as to why she hasn't heard anything about bullying and isolation causing trauma. It's not life threatening but it is life altering. Barry stated that we are hearing more about that, just like with the outbreak of school shootings. Some of these shooters were being served in the school setting and we are hearing more about isolation, neglect and bullying, but it's still not where it needs to be.

**Follow-up Required:**

Kim wonders if there is too much integration with other kids. Maybe kids need to spend more time with those who are like them. She also added that she would like to get rid of the term "Alternative" school. Some kids do not want to be in a regular school setting, but "alternative" school leaves a bad taste in their mouths and a stigma that doesn't need to be there. She also brought up that it's hard to interview for staff with trauma informed questions. How should she interview these people? The problem is more of a culture issue, not a teaching issue.

**Agenda Item: SACEC Election of Officers**

**Presenter: Barry Lee, Chair**

**Summary of Discussion:**

The election committee discussed their slate of officers for the upcoming term. Barry and Anna stated they would be happy to serve again as chair and co-chair, respectively. Amy Folker stated she did not wish to be considered for re-election for Secretary. Members at Large consisting of Melissa Knight and Bill Greer were elected. Tricia Gibbons offered to replace Amy Folker as Secretary. She also is Communications Chair.

**Action Taken:**

The election and communication committee are currently the committees needed until certain work warrants or requires additional committees be formed. The committee structure will be revisited and discussed throughout the year as needed.

**Follow-up Required:**

**Agenda Item: Open Forum**

**Presenter: Barry Lee, Chair**

**Summary of Discussion:**

Public Hearing introduction was read by Chair, Barry Lee.

While waiting for any participants to arrive for the forum, there were a few quick announcements including that there will be 2 due process hearing updates. Barry stated he will mail the one he has and Joe stated he received another just today. There will likely be a time on the agenda at the next meeting for this update from KDE. Sylvia Starkey will be the policy advisor now on this and Rebecca Blessing informed Joe that someone can probably attend from the Office of Communications.

It was recommended to visit the council's Facebook page as Tricia has done some work on it.

Our next meeting will be September 6-7 and the Executive Committee will meet 30 minutes prior to the start time

**Action Taken:**



There were no participants for the public forum and it was closed at 6:07 pm.

**Follow-up Required:**

Next SACEC meeting: September 6-7, 2018 at General Butler State Resort Park.